

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REVISED

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS FEBRUARY 8, 2005 9:00 A.M.

ROLL CALL

Invocation – Police and Fire Chaplain Sam Faraone
Pledge of Allegiance

REGULAR AGENDA

1. Presentation of Empowerment Zone Annual Report.
[Phyllis Rawley, El Paso Empowerment Zone]
2. Discussion and action regarding the \$16.00 charge from Solid Waste Management for picking up trash/debris left by unknown parties in the alley behind my property located at 3826 Tularosa. [Maria Herrera]

MAYOR'S PROCLAMATIONS

- 1) *Golden Gloves Association Week*
- 2) *National LULAC Week*

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of February 1, 2005 and Special City Council Meeting of January 28, 2005 (Park Fees).

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

5. RESOLUTIONS:

5A. That the Mayor be authorized to sign a Lessor's Approval of Assignment by and between the City of El Paso ("Lessor") and Morven Partner L.P. ("Assignor") and Harvest Manor Farms LLC (Assignee") for the property described as a portion of Lot 4 and a portion of Lot 5, Block 8, Butterfield Trail Industrial Park Unit One, Replat "A", City of El Paso, El Paso County, Texas, and municipally known and numbered as #8 Zane Grey, El Paso, Texas. **(District 2)**
[Airport, Patrick T. Abeln, (915) 780-4724]

5B. That the Mayor be authorized to sign a Contract between the City of El Paso and Rozanna M. Mendoza, to assist the City Manager as an Executive Assistant to the City Manager, at a biweekly rate of \$2,461.54, for 40 hours per week. The term of the contract shall be for the period of March 7, 2005 through March 6, 2006. This Contract is subject to the concurrence of the Civil Service Commission. [City Manager, Joyce A. Wilson, (915) 541-4844]

5C. That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Ten Thousand And No/100 Dollars (\$10,000.00, Grant Note - \$825.00, Loan Note - \$9,175.00), against the following described real property:

Lot 1, Block 38A, Eastwood (Unit 7), an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 26, Page 28, Plat records of El Paso County, Texas, known as 1600 Sumac

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 7)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

5D. That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Five Thousand Six Hundred Fifty And No/100 Dollars (\$5,650.00, Grant Note - \$948.00, Loan Note - \$4,702.00), against the following described real property:

Lot 10, Block 4, Colonia Margarita, an addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 35, Page 10, Plat records of El Paso County, Texas, known as 8945 Mellon

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 7)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5E.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Twelve Thousand Two Hundred Fifty And No/100 Dollars (\$12,250.00, Grant Note - \$10,250.00, Loan Note - \$2,000.00), against the following described real property:

The South 61.55 feet of Lots 15 and 16, Block 2, East El Paso Addition, an addition to the City of El Paso, El Paso County, Texas, known as 3029 ½ Rivera

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Eighty Four and 95/100 Dollars (\$84.95). **(District 8)**

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000
[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5F.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand Eight Hundred Fifty And No/100 Dollars (\$6,850.00, Grant Note - \$4,850.00, Loan Note - \$2,000.00), against the following described real property:

Lot 20, Block 1, Monte-Cito, Addition First Supplemental Map, an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 7, Page 10, Plat Records of El Paso County, Texas, known as 7839 Montecito

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Hundred Forty and 47/100 Dollars (\$140.47). **(District 7)**

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000
[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5G.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nine Thousand Seven Hundred Fifty And No/100 Dollars (\$9,750.00, Grant Note - \$5,750.00, Loan Note - \$4,000.00), against the following described real property:

Lot 7 and the West 1/2 feet of Lot 8, Block 85, East El Paso Addition, an addition to the City of El Paso, El Paso County, Texas, known as 3309 East Yandell

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of One Hundred Thirty Three and 38/100 Dollars (\$133.38). **(District 8)**

Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 138000
[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 5H.** That the Engineering Department be authorized to establish and implement appropriate traffic management programs on City streets under the guidelines contained in the "Guidelines for the Implementation of a Neighborhood Traffic Management Program", attached as Exhibit "A", and That the authorization to establish and implement appropriate procedures for the placement of speed humps on the City's streets under general guidelines approved by City Council on Oct. 29, 2002, is hereby rescinded. **(All Districts)**
[Engineering Department, Rick Conner, (915) 541-4200]
POSTPONED FROM 01/11//05 AND 02/01/05
- 5I.** That the Mayor be authorized to sign an Agreement for Architectural Services between the City of El Paso and McCormick Architecture, L.L.C., a partnership registered in the state of Texas, for a project known as "Ruby Coates Park" for an amount not to exceed EIGHTY-SIX THOUSAND ONE HUNDRED FORTY-ONE and NO/100 DOLLARS (\$86,141.00).
Funding Source: CDBG Funds, G7130CD0013-508016.
[Engineering, Irene Ramirez, (915) 541-4431]
- 5J.** That the Mayor be authorized to sign an Agreement for Architectural Services between the City of El Paso and Ron Brown Architects, a Sole Proprietorship, for a project known as "Henderson Health Center ADA Upgrade" for an amount not to exceed TWELVE THOUSAND and NO/100 DOLLARS (\$12,000.00). Funding Source: CDBG funds, G7130CD0012-508016.
[Engineering, Irene Ramirez, (915) 541-4431]
- 5K.** That the Mayor be authorized to sign an Agreement for Architectural Services between the City of El Paso and ASA Architects Studio for a project known as "Fire Station No. 35" for an amount not to exceed ONE HUNDRED SIXTEEN THOUSAND FOUR HUNDRED SIXTEEN AND NO/100 DOLLARS (\$116,416.00). This item will be funded by 2004 Bond Issue Project funds. The item has been funded. The funding information is 14200404/PBE04FI10529162/508016. A budget transfer is not required.
[Engineering, Irene Ramirez, (915) 541-4431]
- 5L.** That the Mayor be authorized to sign a First Amendment to an Agreement for Engineering Services by and between the City of El Paso and Parkhill, Smith & Cooper, for a project known as "CLINT LANDFILL PHASE I – CELLS 3, 4, 5 & 6" in an amount not to exceed SEVENTY THOUSAND NINE HUNDRED SIXTY-THREE and NO/100 DOLLARS (\$70,963.00). **(District 6)**
Funding information - Solid Waste Revenue funds, 40426/34340300/PSWM0006/508027
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5M.** That the Mayor be authorized to sign an Agreement for Engineering Services between the City of El Paso and CEA Engineering Group, for a project known as "Teakwood Road and Sequoia Court Street and Drainage Improvements" for an amount not to exceed SEVENTY-FIVE THOUSAND TWENTY-EIGHT AND 13/100 DOLLARS (\$75,028.13). **(District 3)**

Funding information-Community Development Block Grants, Sequoia Court - G7130CD0021/508016, Teakwood Road - G7130CD0022/508016
[Engineering Department, Irene Ramirez, (915) 541-4431]

- 5N.** That the Mayor be authorized to sign a Second Amendment to Agreement for Architectural Services between the CITY OF EL PASO and AGUILAR & MESTA, INC., D/B/A PERSPECTIVA, for a project known as "Lower Valley Branch Library" for an amount not to exceed TWENTY-ONE THOUSAND SIX HUNDRED and NO/100 DOLLARS (\$21,600.00). **(District 7)** Funding Source: 2004 Bond Issue Project funds, 14200408/PBE04L110129166/508009.
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5O.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of BUILDING PERMITS & INSPECTIONS ASSISTANT DIRECTOR is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **5824**. The Grade is **EX E**. Salary Range: \$67,421.27 - \$106,034.39 (EX E) Funding Source: Position has been budgeted for FY05 under general funds.
[Human Resources, Terry A. Bond, (915) 541-4509]
- 5P.** That the Mayor be authorized to sign that certain License Agreement for Physicians Healthcare Associates by and between the City of El Paso ("City") and Physicians Healthcare Associates ("PHA"), whereby PHA shall provide nurse practitioners and/or licensed physician assistants to staff and operate health care clinics, located on City property, that provide healthcare related services for qualified uniform and non-uniform City employees and their families. Funding Source: City of El Paso Health Benefit Fund, 45121-04100248-50211.
[Office of Management and Budget, David Almonte, (915) 541-4011]
- 5Q.** That the Mayor be authorized to sign a First Amendment to an Agreement for Architectural Services between the City of El Paso and Artchitecture I, LP d/b/a ARTchitecture, for a project known as "New Marty Robbins Recreation Center and Pool Improvements" for an amount not to exceed FIVE THOUSAND FIVE HUNDRED FIFTY and NO/100 DOLLARS (\$5,550.00).
(District 6) [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]
- 6.** Notice to set a public hearing to be held on March 15th, 2005 to determine if the property located at 1017 Mundy Drive AKA 1019 Mundy Drive in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated October 31st, 2001. The owner of record as of December 27th, 2004, David Frias, Jr., Administrator of the Estate of David C. Frias, owner, 1509 Mundy Drive, El Paso, Texas 79902, has been notified of the violations at this property. **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 7. STAFFING TABLE CHANGES:**
- 7A. CITY MANAGER**
- | | | | |
|---|------|------------------------------------|---|
| Add | 1.00 | Executive Assistant - City Manager | C |
| Fund Source: 01101-15010704-501000-15000 | | | |
| [City Manager, Joyce A. Wilson, (915) 541-4844] | | | |

7B. STREET

Delete 2.00 Equipment Operator III GS 17
Fund Source: 32000-32010200-01101-32000

Delete 1.00 Equipment Operator III GS 17
Fund Source: 32000-32010160-01101-32000

Add 3.00 Street Operations Assistant GS 19
Fund Source: 32000-32010200-01101-32000
[Street Department, Daryl W. Cole, (915) 621-6750]

8. BOARD APPOINTMENTS:

8A. Guillermo Glenn to the Workforce Retraining Advisory Committee by Representative Jose Alexandro Lozano, District 3.
[Representative Jose Alexandro Lozano, (915) 541-4515]

8B. Cora Ramirez to the Retired & Senior Volunteer Program Advisory Council by Representative Paul J. Escobar, District 6.
[Representative Paul J. Escobar, (915) 541-4182]

8C. Irma Montoya to the Workforce Retraining Advisory Committee by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

9. DISCRETIONARY FUNDS:

The authorization to disburse \$2,000 from District VII Discretionary funds to the "Dia de los Niños, Dia de los Libros" annual event to be held April 30, 2005. Dept ID#01153010, Acct#504420, Fund #16507 [Representative Vivian Rojas, (915) 541-4108]

10. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

10A. Solicitation No.: 2005-003 4 Person Rescue Pumper (Rebid)
Award to: F&F Supply Company, Inc.
Big Lake, Texas
Item (s): 1A-2 4 Person Rescue Pumper @ Base Price
of \$400,453.30
Deleted Options: All options will not be awarded
Amount: \$400,000.00
Fire Station: Downtown, Station 11

Department: El Paso Fire Department
Funds available: 04250203-508029-27251-PMB0003130
Funding source: FY2002 Capital Equipment
Total award: \$400,453.30
District (s): 7 and 8

The Fire and Purchasing Departments recommend award as indicated as this

vendor has provided the Best Value Bid. This vendor is also the low responsible and responsive bidder.

This is a fixed-price, single (one-time) purchase, to purchase one (1) 4 Person Rescue Pumper. There are options from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90), one-hundred and eighty (180), and three hundred and sixty-five (365) days, from the date of award of the contract. No prompt payment discount is offered.

[Purchasing Department, Alfonso Guerrero, Jr., (915) 541-4654]

- 10B.** Solicitation No.: 2005-039 Maintenance of Overhead Doors at
Various Fire Stations & Other City Facilities
- Award to: Sun City Garage Doors Inc.
El Paso, TX
- Item (s): All
- Amount: \$75,000.00
- Department: Fleet Services-Building Maintenance
- Funds available: 31010325-01101-502226
- Funding source: Operating Account,
Building/Facilities Maintenance Center
- Total award: \$150,000.00
- District (s): All**

Fleet Services, Building Maintenance and Purchasing recommend awards as indicated as this vendor is the lowest responsive bidder and offers the Best Value meeting specifications.

This is a twenty-four (24) month contract with the bidder offering the option to extend the term of this contract for one additional year.

[Purchasing Department, Ray Heredia, (915) 541-4316]

- 10C.** Solicitation No.: 2005-049 UPS Batteries & Installation
- Award to: Nationwide Power Corporation
Lakewood, CA
- Item (s): All
- Amount: \$18,950.00 (estimated yearly)
- Department: Fleet Services-Building Maintenance
- Funds available: 31010325-01101-502226
- Funding source: Operating Account,
Building/Facilities Maintenance Center
- Total award: \$37,900.00 (estimated)
- District (s): 1-8**

Fleet Services, Building Maintenance and Purchasing recommend awards as indicated as this vendor is the lowest responsive bidder and offers the Best Value meeting specifications.

This is a twelve (12) month contract with the bidder offering the option to extend

the term of this contract for one additional year.
[Purchasing Department, Ray Heredia, (915) 541-4316]

10D. Solicitation No.: 2005-052 Mobile Two-Way Portable Radios
Award to: Key Communications, Inc.
 El Paso, TX
Item (s): All
Amount: \$49,983.00

Department: Parks & Recreation
Funds available: 04200401-29201-508035
Funding source: Capital Acquisitions FY04,
 Communication Equipment, Parks
Total award: \$49,983.00
District (s): **All**

Parks & Recreation, Communications, and Purchasing recommend award as indicated, Key Communications Inc., provided the lowest cost and meets the Best Value Criteria and specifications.

This is a one (1) time purchase with the option to purchase 100% of the original quantities for two (2) years, Key Communications, Inc. offers a 2% 10 Days Prompt Payment Discount.

The City of El Paso, Parks & Recreation Department will exercise the option to purchase additional Mobile Radios (47) at the current price. Cost included in Total amount. [Purchasing Department, Ray Heredia, (915) 541-4316]

11. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Solicitation No.: 2005-084R Building Space Rental-San Elizario WIC Clinic
Award to: Carlos Martinez
 El Paso, TX
Item (s): All
Amount: \$59,731.20 (3 years)

Department: City-County Health Environmental Health District
Funds available: 41150011-05530-502400 Project G4105WCADMN
Funding source: Health Administration (05), Building Leases, TDH WIC
Total award: \$169,401.60 (9 years)
District (s): **6**

City-County Health and Purchasing recommend award as indicated, Carlos Martinez submitted the only proposal and their proposal meets the specifications.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office

to review, and the City Manager and/or Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

This is a three-year contract, with the option to renew, an additional two (2), three (3) year periods. [Purchasing Department, Ray Heredia, (915) 541-4316]

12. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

12A.	Solicitation No. 2005-059	Zoo Housing Demolition
	Contractor:	Robles and Sons, Inc. Cibolo, Texas
	Department:	Zoo
	Funds Available:	14101003-PQLZO103-60303-508027
	Funding Source:	2000 Quality of Life Bond
	Items:	Base Bid \$49,725.00
	Total Award:	\$49,725.00
	District (s):	3

RECOMMENDATION:

The Zoo and Perspectiva +3D/I, Project Manager, recommend the award of this contract to Robles and Sons, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Barbara Crumley, (915) 541-4315]

12B.	Solicitation No.: 2005-063	Proprietary Parts & Service-Carrier HVAC Systems
	Award to:	Carrier Commercial Service El Paso, Texas
	Item (s):	Part A & Part B
	Amount:	\$50,000.00 (estimated annually)
	Department:	Building Maintenance
	Funds available:	31010326-503200-01101
	Funding source:	Building Maintenance General Operating Funds
	Total award:	\$150,000.00 (estimated)
	District (s):	All

The Building Maintenance and Purchasing Departments recommend award as

indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City a prompt payment discount of 1.25% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

- 12C.** Solicitation No.: 2005-066 Proprietary Parts & Service-York HVAC Systems
Award to: York International Corporation
 Albuquerque, New Mexico
Item (s): Part A & Part B
Amount: \$50,000.00 (estimated annually)
- Department: Building Maintenance
Funds available: 31010326-503200-01101
Funding source: Building Maintenance General Operating Funds
Total award: \$150,000.00
District (s): **All**

The Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City a prompt payment discount of 1.25% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

- 12D.** Solicitation No.: 2005-067 Proprietary Parts & Service-Plymovent Vehicle
 Exhaust Extraction Systems
Award to: Air Cleaning Technologies, Inc.
 Broken Arrow, Oklahoma
Item (s): Part I & Part II
Amount: \$50,000.00 (estimated annually)
- Department: Building Maintenance
Funds available: 31010326-503200-01101
Funding source: Building Maintenance General Operating Funds
Total award: \$150,000.00 (estimated)
District (s): **All**

The Building Maintenance and Purchasing Departments recommend award as indicated to the sole responsive offer, the bid does meet specifications, and is from a responsible party.

No options offered.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

13. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]**13A. BT2005-528 FINANCIAL SERVICES**

Set up appropriation for a contract executive assistant in the City Manager's Department.

Decrease	\$40,931.00	from	10010274/01101	Personal Svcs
Increase	\$40,931.00	to	15010704/01101	Personal Svcs

13B. BT2005-554 HEALTH

To establish Estimated Revenues and Appropriations to enable Health District to expend the Donations received and deposited.

Increase	\$14,083.55	to	41150004/G41011907269/405060	Donations
Increase	\$ 240.00	to	41150004/G41011907269/504001	Long Distance
Increase	\$ 320.00	to	41150004/G41011907269/503100	Office Sup
Increase	\$ 2,277.13	to	41150004/G41011907269/504201	Travel
Increase	\$ 510.00	to	41150004/G41011907269/502302	Print Shop
Increase	\$ 500.00	to	41150004/G41011907269/503101	MinOfficeSup
Increase	\$ 5,000.00	to	41150004/G41011907269/508012	Med/ScienEq
Increase	\$ 3,505.90	to	41150004/G41011907269/502215	OutsideCnt
Increase	\$ 420.00	to	41150004/G41011907269/504000	Comm/Phone
Increase	\$ 100.00	to	41150004/G41011907269/504003	Postage
Increase	\$ 810.52	to	41150004/G41011907269/504412	SemConEd
Increase	\$ 400.00	to	41150004/G41011907269/504203	Mileage

13C. BT2005-556 PARKS & RECREATION

This budget transfer requests a new appropriation for the Wellington Chew Senior Center to construct a driveway to the stage area. This will prevent damage to the irrigation pipes and turf.

Increase	\$5,000	to	51510214/P50022316323/407002	Est Rev
Increase	\$5,000	to	51510214/P50022316323/508003	Bldg Imprvmts

14. APPLICATION FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

Carmen Rodriguez to use amplification (1 mobile P.A. system, 1 microphone, and 2 speakers) at San Jacinto Plaza on February 9, 2005 from 12:00 p.m. to 1:00 p.m. for a political rally. Approximately 5 persons will take part and 100 spectators are anticipated. PERMIT NO. 05-005 [Carmen Rodriguez] **(District 8)**

NO OBJECTIONS FROM PARKS DEPARTMENT. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA**15. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

- 15A.** An Ordinance authorizing the Mayor to sign a contract of sale and any other necessary documents between the City of El Paso and Western Refining Company, L. P. for property legally described as Collingsworth Survey 14, tracts 1-A, 1-C, and 1-E and portion of tracts 1-B and 1-G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility. [Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]
- 15B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times on Certain Streets) To Add a New Location On Burgundy Drive Between Verdun Way and a Point 1,200 Feet North of Escobar Drive, Both Sides. The Penalty Being As Provided In Section 12.84.010 of The El Paso Municipal Code. **(District 6)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 15C.** An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code, by amending Sections 19.28.010 (Construction of Subdivision Improvements) to modify language concerning extension requests, and by amending 19.28.020 (Guarantees) to modify language regarding required security ensuring completion of subdivision improvements when requesting extensions to complete same. [Planning, Research & Development, Rudy Valdez, 541-4635]
- 15D.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding golf driving range as a use permitted by special permit in Chapters 20.12 (R-1, R-2, R-2A, R-3 and R-3A Residential Districts), 20.14 (R-4 and R-5 Residential Districts), 20.20 (A-1 Apartment District), 20.22 (A-2 Apartment District), 20.24 (A-3 Apartment District), 20.28 (A-O Apartment/Office District), 20.30 (A-3/O Apartment/Office High Density District), and 20.32 (A-M Apartment and Mobile Home Park District), and amending Chapter 20.02 (General Provisions and Definitions) to add a definition for golf driving range. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. **(All Districts)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 15E.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding golf driving range as a permitted use in Chapters 20.36 (C-1 Commercial Districts) and 20.38 (C-2 Commercial Districts), and amending Chapter 20.02 (General Provisions and Definitions) to add a definition for golf driving range. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. **(All Districts)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 15F.** An ordinance amending ordinance No. 013980, as amended by ordinances 014787 and 015374, which granted a Special Privilege to Keller & Azar Joint Venture, Inc. (Owner), and Boeing North American, Inc. (Lessee), to permit the temporary use of a portion of Threadgill Avenue for security purposes, by extending the term through March 17, 2010 and by authorizing an assignment and transfer from Keller & Azar Joint Venture, Inc. (Owners) to Wes Uhlman &

Associates, Inc./Mallard El Paso Limited Partnership (Owners) and from Boeing North American, Inc. (Lessee) to The Boeing Company (Lessee). (Fee: \$19,500.00, SP98143c) (District 4)

[Planning Research and Development, Esther Guerrero, (915) 541-4720]

- 15G.** An Ordinance vacating the City's interest in two parcels of property, each .03 acres in size, one located within Lot 4, Block 218, Campbell Addition, the other located within Lot 16, Block 218, Campbell Addition, both within the City of El Paso, El Paso County, Texas. (District 8)

[Planning, Research & Development, Rudy Valdez, 541-4635]

PUBLIC HEARING WILL BE HELD ON FEBRUARY 22, 2005 FOR ITEMS 15A – 15G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

16. MAYOR AND COUNCIL:

- 16A.** Discussion and action to surface-paint the designated Glengarry Street Parking on both sides of Glengarry between McRae and Darlina for the purpose of providing this as a traffic calming device, and to direct the City Manager to instruct the appropriate City departments to commence this project within the next 30 days. [Representative Jose Alexandro Lozano, (915) 541-4515]

POSTPONED FROM 01/11/05 AND 02/01/05

- 16B.** Discussion and action to authorize the Mayor to submit a letter to the Governor of Texas requesting \$11 Million in funding for the remediation of residential properties in and around Kern Place, which have been contaminated with lead and arsenic. [Representative John F. Cook, (915) 541-4140]

17. PURCHASING – RESOLUTION:

Discussion and action on a resolution that the City of El Paso hereby awards Solicitation No. 2005-038 for Shawver Pool Improvements to F. T. James Construction, Inc. in the amount of \$298,318.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract; and

THAT the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

[Purchasing Department, Byron Johnson, (915) 541-4308]

18. PUBLIC HEARING – BUILDING PERMITS AND INSPECTIONS:

An Ordinance amending Title 18 (Building and Construction), by creating Chapter 18.18 (Outdoor Lighting Ordinance), of the El Paso City Code, the penalty being as provided in Section 18.02.107 of the El Paso City Code.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557] **POSTPONED FROM 01/25/05**

19. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

19A. Discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Richard L. Moore and A. Elizabeth Moore amending the zoning contract dated September 16, 1969 and as imposed by Ordinance No. 4271 to delete a condition for the property described as Lots 1 and 24, Alta Mira Addition, El Paso, El Paso County, Texas. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Willis E. Maxell. ZON04-00145. **(District 2)**

[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

POSTPONED FROM 01/25/05

19B. Discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Richard L. Moore and A. Elizabeth Moore amending the zoning contract dated September 16, 1969 and as imposed by Ordinance No. 4271 to delete a condition for the property described as Lot 1, Block 1, Alta Mira Addition, El Paso, El Paso County, Texas. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Willis E. Maxell. ZON04-00145. **(District 2)**

[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

19C. An Ordinance changing the zoning of Lots 1 and 24, Block 1, Alta Mira Addition, El Paso, El Paso County, Texas, from A-O/sc (Apartment/Office/special contract) and R-4 (Residential) to C-1/sc (Commercial/special contract) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Willis E & Arlette Maxell. ZON04-00142. **(District 2)** [Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

20. PUBLIC HEARING – QUALITY OF LIFE SERVICES:

An Ordinance amending Ordinance Numbers 009918, 010482, 010544, 011098, 011779, 012468, 013481 and 015805 which established and amended the Andy and Syd Cohen Stadium Lease between the City Of El Paso and the El Paso Diablos, Inc., which was subsequently assigned to El Paso Baseball Club, LLC, a Limited Liability Company which has been converted to a Texas Limited Partnership under the name El Paso Baseball Club, LP, to revise the obligation to pay rent as set forth in said Lease; to approve the assignment of Lessee's interest to El Paso Professional Baseball, LP; add two option periods; delete reporting requirements, and remove rental rates charged for outside events be approved by City Council. **(District 4)**

[Quality of Life Services, Deborah Hamlyn, (915) 541-4686]

- 21.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 21A.** Discussion and action regarding the condemnation of certain property to acquire an easement to permit crossing over a water conveyance channel on or near Tracts 1F and 1J, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas. (551.071 & 551.072) [City Attorney's Office, James A. Martinez, (915) 541-4550]
POSTPONED FROM 02/01/05
- 21B.** Discussion and action regarding the condemnation of certain property to acquire an easement to permit crossing over a water conveyance channel on or near Tract 3B, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas. (551.071 & 551.072) [City Attorney's Office, James A. Martinez, (915) 541-4550]
POSTPONED FROM 02/01/05
- 21C.** *Bashar Abugalyon vs. City of El Paso*, Cause No. EP-03-CA-0515-FM in the United States District Court for the Western District of Texas (551.071)
[City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov>